

REMARKS/ARGUMENTS

Favorable reconsideration of this application in light of the following discussion is respectfully requested.

Claims 1-40 and 44-46 are presently active. Claims 41-43 and 47 have been presently canceled.

Status of Claims: Claim 1 was provisionally rejected on the ground of nonstatutory obviousness-type double patenting as being unpatentable over Claim 1 copending Application No. 10/673,583; Claims 1 was provisionally rejected under the judicially created doctrine of obviousness-type double patenting as being unpatentable over Claim 1 of copending Application No. 10/673,501, Claims 1-47 were rejected under 35 U.S.C. § 112, first paragraph, as based on a disclosure which is not enabling, Claims 1-47 were rejected under 35 U.S.C. § 103(a) as being unpatentable over U.S. Patent NO. 6,802,045 issued to Sonderman et al (Sonderman hereafter), in view of IEEE article “Mathematic-physical engine: parallel processing for modeling and simulation of physical phenomena” by Jain et al (Jain hereinafter).

Entry of Amendment: The present amendment is submitted in accordance with 37 C.F.R. §1.116 which after final rejection permits entering of amendments canceling claims, complying with any requirement of form expressly set forth in a previous Office Action, presenting rejected claims in better form for consideration on appeal, or presenting amendments touching on the merits upon a showing of good and sufficient reasons why the amendment is necessary and was not presented earlier. The present amendment cancels Claims 41-43 and 47 to simplify the appeal. It is therefore respectfully requested that the present amendment be entered under 37 C.F.R. §1.116.

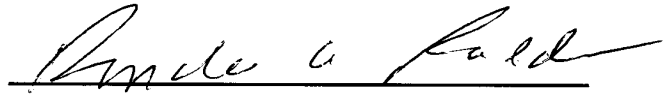
A Notice of Appeal is filed herewith. A terminal disclaimer is filed herewith eliminating the non-statutory double patenting rejection.

Conclusion:

In view of the present amendment and in light of the above discussions, the application as amended herewith is believed to be in condition for appeal. An appeal brief will follow.

Respectfully submitted,

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MAIER & NEUSTADT, P.C.

A handwritten signature in cursive script, appearing to read "Edwin D. Garlepp", is written over a horizontal line.

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